

DELEGATED POWERS REPORT NO.

1642

SUBJECT: Creation of additional posts to progress capital works or similar within Traffic and Development, Environment, Planning and Regeneration

Control sheet

All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to Governance Service for publishing

All reports		
1. Governance Service receive draft report	Name of GO Date	Andrew Charlwood 11/04/2012
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GO Date	Andrew Charlwood 18/04/2012
3. Finance clearance obtained (<i>report author to complete</i>)	Name of Fin. officer Date	Jayne Fitzgerald 25/04/2012
4. Staff and other resources issues clearance obtained (<i>report author to complete</i>)	Name of Res. officer Date	Manjit Lall 11/04/2012
5. Strategic Procurement clearance obtained (<i>report author to complete</i>)	Name of SPO Date	Lesley Meeks 12/04/2012
6. Legal clearance obtained from (<i>report author to complete</i>)	Name of Legal officer Date	Philippa Larbi 12/04/2012
7. Policy & Partnerships clearance obtained (<i>report author to complete</i>)	Name of P&P officer Date	Andrew Nathan 12/04/2012
8. Equalities & Diversity clearance obtained (<i>report author to complete</i>)	Name of officer Date	Andrew Nathan 12/04/2012
9. The above process has been checked and verified by Director, Head of Service or Deputy (<i>report author to complete</i>)	Name Date	Tim Wallis 25/04/2012
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of GO Date	Chidilim Agada 25/04/2012
11. Report published by Governance Service to website	Name of GO Date	Chidilim Agada 25/04/2012
Officer reports:		
12. Head of Service informed report is published and can be implemented.	Name of GO Date	Chidilim Agada 25/04/2012
Cabinet Member reports:		
13. Expiry of call-in period	Date	Not applicable
14. Report circulated for call-in purposes to BMOSC members & copied to Cabinet & Head of Service	Name of GO Date	Not applicable

ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER (COUNCIL FUNCTION)

Subject **Creation of additional posts to progress capital works or similar within Traffic and Development, Environment, Planning and Regeneration**

Officer taking decision Interim Director of Environment, Planning and Regeneration

Date of decision 25 April 2012

Summary	To establish one Senior Engineer and two Engineer grade posts within the Traffic and Development Section to progress works where Capital funding streams have been identified and substantive posts are unable to accommodate the increase in demand.
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Officer Contributors Neil Richardson, Highways Manager, Traffic and Development, Environment, Planning and Regeneration (EPR)

Status (public or exempt) Public

Wards affected All

Enclosures None

Contact for further information: Neil Richardson 020 8359 7525

Serial No. 1642

1. RELEVANT PREVIOUS DECISIONS

1.1 None.

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

2.1 A focussed Environment, Planning and Regeneration (EPR) Directorate is key to meeting the aspirations of the Council through its Corporate Plan Priorities, in particular “Better services with less money” by helping to ensure that efficient cost effective services are delivered.

2.2 The ability to employ appropriate staff in order to meet the needs of an evolving service, in particular those with specialist skills, will deliver a high quality service that is aligned to and supports the current and anticipated future needs of the Council, enabling the service to be responsive to the opportunities of any future change programmes as well as providing a solid foundation for prudent financial accountability

3. RISK MANAGEMENT ISSUES

3.1 I do not consider the issues involved are likely to raise significant levels of public concern or give rise to policy considerations although due consideration will need to be given to the length of employment contract awarded given the current intentions regarding outsourcing services as part of the Council’s One Barnet aspirations for the Development and Regulatory Services within EPR.

3.2 Consideration needs to be given to the possibility that the currently employed agency staff may choose not to apply for, or if they were to apply, be unsuccessful and fail to be appointed to the new roles, and accordingly may seek employment elsewhere. Should this be the case it may lead to a proportionate reduction against planned income targets for the services secured through rechargeable fees.

4. EQUALITIES AND DIVERSITIES ISSUES

4.1 The Council’s Recruitment Procedures will be followed in the recruitment and selection to this post. These ensure that all posts are awarded on merit using fair and objective criteria.

4.2 Posts will be advertised in accordance with the Managing Change Policy and qualifying applicants interviewed against pre-determined criteria to ensure that all potential employees are treated fairly and equally.

4.3 This report is aligned with the Council’s Equalities Policy and therefore its commitment to equalities and diversity, to ensure that groups of staff are not discriminated against. This report is considered compatible with the provisions of the Equal Pay Act 1970 as all posts will have been evaluated using a job evaluation scheme which meets the requirements of equalities legislation.

4.4 *The council and all other organisations exercising public functions on its behalf must have due regard to the need to: a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act)*

b) advance equality of opportunity between those with a protected characteristic and those without; c) promote good relations between those with a protected characteristic and those without. The 'protected characteristics' referred to are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 Provision of £155,000 has been made within 2012/13 EPR budgets for the creation of these posts, that will be advertised through the Council's existing recruitment processes primarily employed in the Directorate's Traffic and Development Section, with the gradings as determined to be commensurate with the position's requirements and responsibilities.
- 5.2 The costs assuming 12 month contracts, including on-costs is £28,055 to £40,217 at Engineer grade, and £44,426 to £55,411 at Senior Engineer Grade. These costs can be met from within the existing 2012/13 budget provision.
- 5.2 The posts are being created with the intention of progressing and better managing capital works identified through successful bidding and Capital funding streams and would therefore result in a recharge element that in turn would support the Directorate's Revenue funded activities whilst avoiding reliance on Revenue commitment to achieve identified desired outcomes.
- 5.4 There are no specific IT or property issues pertaining to this report.

6. LEGAL ISSUES

- 6.1 Paragraph 4.1.1 above sets out the basis upon which selection for this post is to be undertaken. It is essential when the Council creates and recruits to new positions that such selections are undertaken fairly, objectively and without discrimination. Accordingly the Council must be mindful of and must adhere to its recruitment and equalities policies in addition to the duties placed upon it by legislation with regard to data protection, discrimination and general employment law.
- 6.2 The law implies an equality clause within every contract of employment. To that end it is essential that there is a proper evaluation of the responsibilities of every post to ensure that pay is set at an equitable and appropriate level. For these reasons it is of vital importance that there is formal evaluation of these posts in accordance with the Local Government Job Evaluation Scheme.

7. CONSTITUTIONAL POWERS

- 7.1 Council Constitution, Part 3, Responsibility for Functions – Section 6.1 provides that Chief Officers can take decisions without consultation with the Cabinet Member concerned where it is in respect of operational matters within the Chief Officer's sphere of managerial or professional responsibility and is not significant in terms of budget or policy.

7.2 Council Constitution, Part 3, Responsibility for Functions – Section 6.2 provides that Chief Officers may use whatever means they consider appropriate to discharge those functions allocated to them including engaging and deploying staff.

8. BACKGROUND INFORMATION

8.1 The Traffic and Development Section within the Environment, Planning and Regeneration Directorate employs through the Council's Temp Desk agency staff on an 'ad hoc' basis to progress schemes primarily Capital funded but also on occasion council sponsored. This funding is typically secured through the Mayor for London's Local Implementation Plan submissions, S106 planning agreements and latterly through the successful Outer London Fund bids.

8.2 The scope of activity undertaken includes local safety schemes, bus network improvement schemes, congestion reduction schemes, school travel plan engineering schemes and local traffic and safety improvement measures including practical pedestrian training and road safety initiatives. The schemes entail feasibility, initial design, consultation, detailed design, and ultimately implementation thereby supporting the Council's aspirations and assuring delivery of the borough's capital allocation. Costs associated with the employment of agency staff are borne by and recharged to the appropriate Capital funding streams and there is no allowance in the establishment budgets made for these roles. Currently, three agency staff members are employed to progress these works, one as Senior Engineer and two at Engineer classification.

8.3 The current situation, whilst benefitting the council in successfully delivering its planned work programme carries a number of disadvantages that this report seeks to address. Whilst resourcing appropriate staff on an agency basis, appears to offer a degree of flexibility it results in significant financial resources being lost either to the employee's agency, which through the lifetime of employment gains payment through the agency workers engagement. In addition payment is made to the Temp Desk for administration of this arrangement. Moreover the agency staff member cannot fully associate themselves with the Council as their status is viewed as a 'weekly' arrangement that could be terminated at any time. The cost to the council of such an arrangement is higher than would otherwise be the case with a significant amount of this cost not being paid to the agency staff member.

8.4 Therefore in order to ensure a robust Service that is fit for purpose, which can deliver an efficient, effective and responsive service to our customers and which can meet fluctuating and high workloads, clearly defined individual roles and responsibilities it is necessary to establish new permanent posts. It is not possible to fill these highly skilled professional posts on temporary contracts and they will need to be recruited as permanent posts in order to ensure that saving is made.

8.5 The additional posts are intended to be introduced during the early stages of the 2012/13 financial year.

9. LIST OF BACKGROUND PAPERS

9.1 None.

10. OFFICER'S DECISION

I authorise the following action:

- 10.1 The creation of one Senior Engineer and two Engineer posts within the Traffic and Development Section at level SCP 38-47 and 22-34 respectively.**

Signed *Pam Wharfe*
**Interim Director of Environment, Planning and
Regeneration**

Date **25 April 2012**